

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
PUBLIC HEARING
DECEMBER 3, 2001**

6:00 P.M.

(Proposed Zoning Amendment Z-01-13)

Pursuant to notice duly advertised and posted, the Brunswick County Board of Commissioners conducted a Public Hearing on the above date at 6:00 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
Commissioner May W. Moore, Vice Chairman
Commissioner David R. Sandifer
Commissioner Tom B. Rabon, Sr.
Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
Steve Stone, Assistant County Manager
Huey Marshall, County Attorney
Debby Gore, Clerk to the Board
Margie Stephenson, Deputy Clerk
Lithia E. Brooks, Director of Fiscal Operations

I. CALL TO ORDER

Chairman Warren called the Public Hearing to order at 6:00 p.m., and announced that the purpose of the Public Hearing was to receive public comments concerning the proposed Zoning Amendment Z-01-13.

Item 1 (Z-323 – Coastal Land Design)

Mr. Leslie Bell, Planning Director, explained that Item 1 is a map amendment initiated by the property owner. This change from C-M (Commercial Manufacturing) to H-M (Heavy Manufacturing) would allow for heavy manufacturing use of the property for a portion of Tax Parcel 02800008 beginning 4970 feet northwest of the southwestern quadrant of Enterprise Drive NE (SR 1714) and the Seaboard Coastline Railroad and continuing 5650 feet west fronting the railroad right-of-way. This parcel totals approximately 844 acres and has 6650 feet of depth at its greatest point.

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

Item 2 (Z-325 & Z-234 - Mallory Creek Land & Timber)

Mr. Leslie Bell, Planning Director, explained that Item 1 is a map amendment initiated by the property owner and staff, respectively. Z-325 is a change from Town of Belville Zoning

Jurisdiction to SBR-6000 (Site Built Medium Density Residential) and would allow for single family site built dwellings for Tax Parcels 05900009 and 0590001001 beginning 1900 feet north of the northwest quadrant of River Road SE (NC 133) and Black Bear Hollow SE and continuing approximately 4400 feet west at its greatest point. This parcel totals 434.42 acres.

Z-234 is a change from RU (Rural) to SBR-6000 (Site Built Medium Density Residential) and would allow for single family site built dwellings for Tax Parcel 05900010 beginning 1900 feet north and then 4390 feet west of the northwest quadrant of River Road SE (NC 133) and Black Bear Hollow SE and continuing approximately 7350 feet west at its greatest point. This parcel totals 762.17 acres.

Planning Staff recommends approval.

Planning Board recommends approval (unanimous 7 to 0).

II. PUBLIC COMMENTS

Chairman Warren asked if any members of the audience wished to address the Board of the proposed amendment.

Bill Cameron of Mallory Creek Land & Timber, addressed Item 2 stating rezoning has been requested as the property is currently unzoned.

III. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Public Hearing at 6:04 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS
OFFICIAL MINUTES
REGULAR MEETING
DECEMBER 3, 2001
6:30 P.M.**

The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.

PRESENT: Commissioner Donald E. Warren, Chairman
 Commissioner May Moore, Vice-Chairman
 Commissioner David Sandifer
 Commissioner Tom B. Rabon, Sr.
 Commissioner William M. Sue

STAFF: Marty K. Lawing, County Manager
 Steve Stone, Assistant County Manager
 Huey Marshall, County Attorney
 Debby Gore, Clerk to the Board
 Margie Stephenson, Deputy Clerk
 Lithia E. Brooks, Fiscal Operations Director

I. CALL TO ORDER

Chairman Warren called the meeting to order at 6:30 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

Chairman Warren made a motion to move item VI (a) to II (a). The vote of approval was unanimous.

II. APPROVAL OF MINUTES

(A) Minutes

November 19, 2001 Regular Meeting Minutes

Commissioner Sue moved to approve the November 19, 2001 meeting minutes. The vote of approval was unanimous.

III. REORGANIZATION OF THE BOARD

Vice-Chairman Moore nominated Don E. Warren to serve as Chairman to the Board of Commissioners. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of Don Warren, Chairman. The vote of approval was unanimous.

Chairman Warren nominated May Moore as Vice-Chairman. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointment of May Moore, Vice-Chairman. The vote of approval was unanimous.

IV. ADJUSTMENTS/APPROVAL OF AGENDA

Chairman Warren asked if there were any adjustments to the agenda.

There were no adjustments to the agenda.

Commissioner Sandifer moved to approve the agenda. The vote of approval was unanimous.

V. PUBLIC COMMENTS

Chairman Warren asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

Mr. Treadwell Bell voiced concerns of rezoning property near St. James Church in Leland. Mr. Bell asked the Board to allow the property to remain as is due to increased traffic and noise with the proposed rezoning.

Mr. Paul Nelson, a realtor from New Hanover County, speaking in behalf of the property owner, explained that the owner plans to put a retail outlet for furniture on the property that will employ 70-100 people, not a furniture manufacturing plant. Mr. Nelson stated that there will be landscaping around the building to insulate the church from excess noise.

VI. APPROVAL OF CONSENT AGENDA

Commissioner Sue moved to approve the Consent Agenda. The vote of approval was unanimous.

The following items were approved:

Finance – FY 2000-2001

1) Health Department

\$3,426 Increase

Medicaid Title XIX Revenue

This amendment represents the amount already received in excess of the original budget. The Health Department has requested to use this additional revenue in clinic services it administers. County funds are not involved.

2) School Capital Project Ordinances - School Bonds

\$85,214 Increase Sales Tax Refund

This revenue will be received regarding the sales tax paid on the first and second sale of school bonds that pertains to the School Capital Projects for South Brunswick Middle, Bolivia Elementary, Union Primary, North Brunswick High School, and West Area Elementary Schools. This sales tax must be amended to these projects. County funds are not involved.

3) School Capital Project Ordinance - Category I Other

\$2,401,500 Increase School Capital Reserve Fund - Excess Ad Valorem Taxes

The School System accrues excess Ad Valorem taxes at year-end (budgeted versus actual revenues collected). The School System has requested to appropriate the above referenced amount for capital needs in various schools. The majority of these funds will be used at North Brunswick High School and South Brunswick High School, including the procurement of an activity bus. County funds are not involved.

We request the Board's concurrence to amend the FY 2001-2002 Budget Ordinance, the South Brunswick Middle, Bolivia Elementary and Union Primary Capital Project Ordinance, North Brunswick High School Capital Project Ordinance, West Area Elementary School Capital Project Ordinance and the School Capital Project Ordinance Category I Other accordingly.

4) Brunswick Transit Systems, Inc.

\$76,785 Increase Rural Operating Assistance Program (ROAP) Revenue

5) Department of Social Services

\$ 697 Increase Rural Operating Assistance Program (ROAP) Revenue

6) Department of Aging - Transportation

\$ 2,922 Increase Rural Operating Assistance Program (ROAP) Revenue

This amendment represents an additional amount already received for the Rural Operating Assistance Program for FY 2001-2001. The agencies participating in this program are the Services for the Blind, Brunswick Interagency Program, Brunswick Family Assistance and Southeastern Mental Health. County funds are not involved.

VII. PRESENTATIONS

1. Brunswick Hospital (Paul Schulte)

Mr. Mike Mauney, Chairman of the Brunswick Hospital Authority and Paul Schulte, Hospital Administrator gave the Board an update of the hospital expansion that would be complete in approximately five years making Brunswick Hospital a 150-bed facility. The expansion will allow an additional 48,000 square feet and an upper floor to the present structure. Mr. Schulte thanked the Board for their continuing support.

Commissioner Sue congratulated Mr. Schulte on the progress made in the past few years.

Commissioner Sandifer stated the comments received from the public are “fantastic” and extremely impressive. Commissioner Sandifer commended Mr. Schulte on the impression the hospital has on Brunswick County.

VIII. ADMINISTRATIVE REPORT

1. Planning – Map Amendment Z-01-12A – (*Marty Lawing*)

Staff recommends that the Board of Commissioners consider approving second reading and adoption of Map Amendment Z-01-12A as recommended by the Planning Board.

The County Manager reminded the Board that a Public Hearing was held on November 5, 2001 and this Item was tabled until December.

The Board discussed set backs, possibility of berms, driveway permits, requirement of a Special Exception Permit, and review of the site plan by the Board of Adjustment, giving the opportunity to impose certain conditions for a retail establishment in a Rural zone.

Vice-Chairman Moore moved to accept the recommendation of the Planning Staff to rezone back to the previous Rural Zoning designation. The vote of approval was unanimous.

2. Planning – Map Amendment Z-01-13 – (*Marty Lawing*)

Staff recommends that the Board of Commissioners consider approving second reading and adoption of Map Amendment Z-01-13 as recommended by the Planning Board.

Commissioner Sue moved to approve second reading and adoption of Map Amendment Z-01-13, Items 1 & 2. The vote of approval was unanimous.

3. Planning – Map Amendment Z-01-14 – (*Marty Lawing*)

Staff recommends that the Board of Commissioners consider approving first reading for Map Amendment Z-01-14 and set a public hearing for January 7, 2002 at 6:00 p.m. as recommended by the Planning Board.

Commissioner Sandifer moved to approve first reading of Map Amendment of Z-01-14 and set a Public Hearing for January 7, 2002 at 6:00 p.m. The vote of approval was unanimous.

4. Boiling Spring Lakes – Land Purchase– (*Marty Lawing*)

Staff recommends that the Board of Commissioners consider approving the sale of four (4) parcels to the City of Boiling Spring Lakes.

The County Manager explained that the Town of Boiling Spring Lakes is working with the Nature Conservancy to obtain land to construct a Community/Recreation Center. In order to obtain the site for the proposed center located on Highway 87, owned by the Conservancy, the Town must exchange property. Mayor Joan Kinney has requested the County consider selling four (4) parcels located on West Ridge Road that were foreclosures for nonpayment of property taxes. The amount paid by the County for these parcels totals \$1,692.55.

Commissioner Sue moved to approve to advertise the notice of intent to sell public property and classify the property as surplus.

There was discussion concerning other avenues of entering into a contract with the Town of Boiling Spring Lakes and not jeopardize the outcome.

Commissioner Sue withdrew the previous motion.

Commissioner Sue made a substitute motion to meet the requirements to convey the property to the Town of Boiling Spring Lakes and the Nature Conservancy for public purpose. The vote of approval was unanimous.

5. Public Housing – Scattered Site Revitalization Contracts – (*Vonnie Fulwood*)

Staff recommends that the Board of Commissioners consider awarding two CDBG Housing Rehabilitation Contracts to Edmund Wong, Unique Home Builders of Southport, in the amount of \$56,687.

Ms. Vonnie Fullwood, Public Housing Director, explained that there are currently two (2) owner occupied dwellings that are eligible for the CDBG program. Unique Home Builders of Southport submitted the lowest bid.

Commissioner Sue moved to award the two Rehabilitation Contracts to Edmund Wong of Unique Home Builders of Southport in the amount of \$56,687. The vote of approval was unanimous.

6. Utilities – Town of Ocean Isle Beach Waterline– (*Lee Smith*)

Staff recommends that the Board of Commissioners consider approving the project and budget amendment in the amount of \$35,000 for the waterline extension and meter vault construction at Ocean Isle Beach.

Lee Smith, Public Utilities Director, requested adoption of a Resolution allowing the County to reimburse the Town of Ocean Isle Beach for the proposed installation of approximately 300 ft. of C900 PVC Class 200 Pipe and for the cost difference between a one-way metering vault and a two-way metering vault including related appurtenances in the amount of \$35,000 with funds to come from Capital Reserve.

Commissioner Sue moved to approve the project, not to exceed \$35,000 and approve the proper budget amendment once the contract is approved. The vote of approval was unanimous.

IX. BOARD APPOINTMENTS

1. ABC Board (1 appointment)

Chairman Warren nominated William Sledge. Commissioner Sue moved to close the nominations. The vote of approval was unanimous. Chairman Warren moved to approve the appointment of William Sledge. The vote of approval was unanimous.

Mr. Sledge will fill the expired 3-year term of Vernon Ward that will expire January 1, 2004.

2. Lower Cape Fear Water & Sewer Authority (1 appointment)

Commissioner Sue moved to re-appoint Dwight Crainshaw. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the re-appointment of Dwight Crainshaw. The vote of approval was unanimous.

Mr. Crainshaw will serve another 3-year term that will expire January 3, 2005.

3. Aging Advisory Board (1 appointment, at-large)

Vice-Chairman Moore moved to table the Aging Advisory appointment. The vote of approval was unanimous.

4. Brunswick Hospital Authority (2 appointments, Districts 1,3)

Chairman Warren moved to re-appoint Charles Savarese and Michael Mauney. Commissioner Sandifer moved to close the nominations. The vote of approval was unanimous. Commissioner Sandifer moved to approve the appointments of Charles Savarese and Michael Mauney. The vote of approval was unanimous. Mr. Savarese and Mr. Mauney will serve another 3-year term that will expire November 1, 2004.

X. COUNTY ATTORNEY'S REPORT

1. Ratification of water service agreement with Town of Shallotte
To consider resolving issues in Shallotte water delivery.

Commissioner Sandifer moved to approve the ratification of water service agreement with the Town of Shallotte. The vote of approval was unanimous.

2. Closed Session

7:09 p.m. Commissioner Sandifer moved to enter Closed Session pursuant to G.S. 143-318.11 (a) (3) and (a) (6) potential litigation and personnel. The vote of approval was unanimous.

Recess 7:10 p.m. Chairman Warren called for a five-minute recess.

Reconvened 8:45 p.m. Chairman Warren called the Open Session back to order at 8:45 p.m. and stated that only appropriate personnel action was taken in Closed Session.

Vice-Chairman Moore moved to authorize Staff to take actions as stated in the memo from Assistant County Manager, Steve Stone and discussed in Closed Session to be effective at the start of the next pay period. The vote of approval was unanimous.

(Exhibit Book 26, Attachment)

Commissioner Sandifer moved to amend the Shallotte ratification on the 3rd line in paragraph 5 on page 69 as outstanding claims for unpaid water bills "as of July 1, 2001" to be inserted. The vote of approval was unanimous.

XI. OTHER BUSINESS/INFORMAL DISCUSSION

There was no other business to discuss.

XII. ADJOURNMENT

Commissioner Sandifer moved to adjourn the Regular Meeting at 8:47 p.m. The vote of approval was unanimous.

Donald E. Warren, Chairman

Deborah (Debby) Gore, Clerk to the Board